

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

**PLAINTIFF'S MOTION TO EXCLUDE OPINIONS BY SAGE'S EXPERT THAT ARE  
INCONSISTENT WITH THE COURT'S CLAIM CONSTRUCTION AND FOR  
SUMMARY JUDGMENT OF INFRINGEMENT OF '376 PATENT CLAIMS 1 AND 9**

Pursuant to Fed. R. Evid. 702, Plaintiff PureWick Corporation (“PureWick” or “Plaintiff”) hereby moves to exclude Sage’s expert Donald Sheldon from offering untimely and improper claim construction opinions, and pursuant to Fed. R. Civ. P. 56 PureWick hereby moves for summary judgment of infringement of ‘376 patent claims 1 and 9. The grounds for PureWick’s Motions are fully set forth in Plaintiff’s Opening Brief.

NOW, THEREFORE, Plaintiff PureWick Corporation respectfully requests the Court to enter the proposed order attached as Exhibit A granting this motion.

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